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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------|------------------|
| 09/404,979 | 09/22/1999 | T. VENKAT GOPAL | GENAPP.002RA | 8979 |
| 32042 | 7590 | 06/28/2005 | EXAMINER | |
| PATTON BOGGS LLP 8484 WESTPARK DRIVE SUITE 900 MCLEAN, VA 22102 | | | MCKELVEY, TERRY ALAN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1636 | |

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

09/404,979



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| APPLICATION NO/ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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DATE MAILED:

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Commissioner for Patents

First, it should be noted that the communication mailed 2/14/05 was mailed in error. The instant application is a reissue application which has a different set of rules for amendment of the claims and specification. Accordingly, the applicant's amendments filed in response to this communication have not been entered and the amendment to the claims filed 10/14/04 is the currently pending set of claims.

Second, the reply filed on 3/23/05 is not fully responsive to the prior Office Action (mailed 7/14/04) because of the following omission(s) or matter(s):

1. The amendment to the paper sequence listing correcting the sequence of SEQ ID NO:30 (and the new amendment to SEQ ID NO:130) was not amended according to the reissue amendment rules. See the bottom of page 4 through page 5 of the Office Action mailed 7/14/04.
2. The reply did not comply with the reissue amendment rules as required in the prior Office Action. See the third paragraph in the Office Action mailed 7/14/04. The two amendments to the specification at Table 1, filed 10/14/04 were done improperly because as per MPEP 1453(b)(1), the entire paragraph showing the changes with underlining and/or bracketing must be submitted. The entire Table 1 would appear to be the entire "paragraph" in the instant case.

In addition, the amendment to change SEQ ID NO:13 to a different sequence resulted in the Sequence Rules not being fully complied with in the amendment filed 10/14/04 because the SEQ ID NO:13 as identified in Table 1 does not match the sequence of SEQ ID NO:13 set forth in the paper sequence listing and the computer readable form of the sequence listing. Full compliance with the Sequence Rules is required, including filing a new CRF, a new paper sequence listing (with the proper amendments to SEQ ID NO:13 and 30 properly shown according to the reissue rules), and a new statement that the two are identical and include no new matter. See the top of page 5 of the Office Action mailed 7/14/04. It should be noted that the examiner did not anticipate that another sequence in addition to SEQ ID NO:30 would be amended and thus the first sentence of page 5 of the Office Action mailed 7/14/04 is no longer applicable.

Because these improper amendments are improper with regard to format only, the reissue oath/declaration filed 10/14/04 covers any corrections to the format of the amendments and thus a new supplemental reissue oath/declaration is not required for those amendments to the specification. However, any additional new amendments that are made to the specification, claims, or drawings will require a new supplemental oath/declaration to cover those new amendments.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid

abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Certain papers related to this application may be submitted to Art Unit 1636 by facsimile transmission. The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). The official fax telephone number for the Group is 571-273-8300. NOTE: If Applicant does submit a paper by fax, the original signed copy should be retained by applicant or applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers in the Office. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Any inquiry concerning rejections or objections in this communication or earlier communications from the examiner should be directed to Terry A. McKelvey whose telephone number is (571) 272-0775. The examiner can normally be reached on Monday through Friday, except for Wednesdays, from about 7:30 AM to about 6:00 PM. A phone message left at this number will be responded to as soon as possible (i.e., shortly after the examiner returns to his office). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Remy Yucel can be reached at (571) 272-0781.



TERRY MCKELVEY
PRIMARY EXAMINER